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Woman wins \$3.2M suit against Salt Creek Grille

But the Dana Point restaurant, where she says food was contaminated with the campylobacter bacteria, plans to appeal.

By **ANDREW GOOD**
SUN POST NEWS

Were she a food critic, Alexis Sarti would have a less than positive review for Dana Point's Salt Creek Grille.

According to her, the Ahi tuna appetizer she ate in April 2005 gave her the worst food poisoning of her life, eventually developing into a rare illness that paralyzed her and required 49 days in Saddleback Memorial Medical Center San Clemente Campus to recover.

She's doing better now, though a limp in her walk and her reliance on a wheelchair testifies to the 40 percent of her nerves damaged by campylobacter bacteria, contracted shortly after her meal. Just over two weeks later, what began as nausea and vomiting turned into paralysis and a 10-day coma.

On July 11, an Orange Coun-

ty jury awarded her \$3.2 million in a lawsuit against the restaurant. Her lawyer, Keith Bremer of Bremer, Whyte, Brown and Omeara, argued that the Grille was negligent in maintaining health code standards, resulting in Sarti ingesting campylobacter. The bacteria is the most common cause of food poisoning incidents, Bremer said, and is commonly found in raw chicken - which implies Sarti's Ahi was cross-contaminated, he added.

The Grille plans to appeal the case in the near future, with president and co-founder Tim McCune confident the verdict will be overturned. In a prepared statement, he said his staff is not at fault for the poisoning, and is disappointed with the jury's decision.

"Salt Creek Grille has been in operation for 10 years," reads the statement. "During that



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time and in our three locations, we have served well over 2 million guests and hosted 125 required and routine health de-

partment inspections, all without incident."

For Sarti, the verdict

BAD FOOD: Alexis Sarti recently won a lawsuit against Salt Creek Grille in Dana Point after she got food poisoning from eating there. She was in a coma for 10 days and suffered permanent nerve damage.

"It was scary. I didn't know what was happening. I didn't know it would be so bad. I thought I'd go to the hospital, they'd give me medicine, and I'd walk away. That wasn't really what happened."

ALEXIS SARTI

brought satisfaction in knowing the jury held Salt Creek Grille liable for her illness. Her suit was less about a punitive award than confirming they were responsible for her two-month medical ordeal, she said.

Though the appetizer tasted fine, Sarti said she was suspicious it made her ill the day after her meal. She complained of feeling sick to her boyfriend, who shared the appetizer with her, and had also been feeling under the weather. She figured it would pass.

When she woke up two

weeks later with double-vision, she knew something was horribly wrong. The blindness was evidence of her optic nerves slowly paralyzing. Her mother called 911, and by the time she reached the hospital, her limbs had begun to slowly go numb.

"It was scary," she said. "I didn't know what was happening. I didn't know it would be so bad. I thought I'd go to the hospital, they'd give me medicine, and I'd walk away. That wasn't really what happened."

Sarti later learned campylobacter can, in extremely rare instances, develop into Guillain-Barré Syndrome, where the immune system begins to attack the peripheral nervous system. In 98 percent of cases her doctors told her, people make a full recovery. Unfortunately, her variant was severe enough that she is still seeing evidence of nerve damage after leaving the hospital.

She slipped into a coma after being admitted, emerging

LAWSUIT

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later under heavy sedation. She couldn't move, and was

hallucinating from the medication, envisioning herself in a garage with doctors laughing around her.

"Your mind is still there, but you can't move or communicate, and you have people tell-

ing you it's going to be OK," she said of the experience. "That was the frustrating thing."

Her family tried to reassure her, which would become routine. Along with friends and church members, they became her bedside support; she called her boyfriend "my shoulder" through her hospital stay. Im-

mobile, unable to see or speak, they became her link to the world outside the hospital walls.

Hours were spent in physical therapy, moving her fingers a bit at a time, and stretching muscles that had lay dormant for weeks. She relearned how to make facial expressions,

how to bring food to her mouth, how to shower. The most difficult step was lifting herself from a chair to a standing position. She estimates she didn't have the strength required until about three months after her hospital discharge.

The difficulty now is chronic fatigue, she says. Her damaged nerves have weakened her strength and endurance, leaving her puffing after a half-hour walk, or grasping for a handrail to pull herself upstairs. A former cross-country runner, she admits under her breath that's "certainly out of

the picture now."

"I can't do things I would normally do," she said. "If I go to Disneyland, I have to bring my wheelchair ... I don't know what the future holds. I have to keep in consideration, 'Can I or can't I do that?'"

Still, though campylobacter helped deteriorate her muscles, her will to live life hasn't withered.

"I can't say what my life would be like without this, but this is what's happened to me, and you accept it, and you move forward," Sarti explained.

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